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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 SCOT JAMES McPHEE,
9 Petitioner,
10 v.
11 RANDEL STECKEL,
12 Respondent.

Case No. C07-5668RJB
ORDER OF DISMISSAL

13 This matter comes before the court on the Report and Recommendation of Chief Magistrate Judge
14 J. Kelley Arnold (Dkt. 5). No objections have been filed to the Report and Recommendation. It appears
15 that petitioner has not exhausted tribal court remedies before filing this federal habeas corpus action, as is
16 required by the law. Therefore, it is now ORDERED as follows:

- 17 (1) the Report and Recommendation of the Magistrate Judge (Dkt. 5) is adopted and approved;
18 (2) this matter is dismissed; and
19 (3) all pending motions are denied as moot.

20 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
21 party appearing *pro se* at said party's last known address.

22 DATED this 12th day of February, 2008.

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25 ROBERT J. BRYAN
26 United States District Judge
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